

Richard S. Zackin (RZ-2814)
GIBBONS PC
One Gateway Center
Newark, New Jersey 07102-5310
(973) 596-4500
Attorneys for the New Jersey Licensed Beverage
Association Defendants/Third-Party Plaintiffs

ELAINE L. CHAO, Secretary of Labor,
United States Department of Labor,

Plaintiff

v.

NEW JERSEY LICENSED BEVERAGE ASSOCIATION,
INC.; MELVIN GITLER; ROBERT SCERBO; PHIL
CITTA; WILLIAM CLEARY; ROBERT MARCIANI;
JOSEPH ARDIRE; RICHARD BELLSHOT; JAMES HILL;
MICHAEL MARSH; LEWIS ROTHBART; FRANK
ZANOTTI; ANN SMULEWICZ; RANDY NORMAND;
MARY ROENICK; STEPHAN DI TOMASSO;
MIDLANTIC HEALTHCARE, INC.; NEW JERSEY
LICENSED BEVERAGE ASSOCIATION EMPLOYEE
WELFARE BENEFIT PLAN;

Defendants.

NEW JERSEY LICENSED BEVERAGE ASSOCIATION,
INC.; NEW JERSEY LICENSED BEVERAGE
ASSOCIATION EMPLOYEE BENEFIT PLAN MELVIN
GITLER; ROBERT SCERBO; PHIL CITTA; WILLIAM
CLEARY; ROBERT MARCIANI; JOSEPH ARDIRE;
RICHARD BELLSHOT; JAMES HILL; MICHAEL
MARSH; LEWIS ROTHBART; FRANK ZANOTTI; ANN
SMULEWICZ; RANDY NORMAND; MARY RAHMIG;

Third-Party Plaintiffs,

v.

RECREATIONAL COVERAGE ASSOCIATION, INC.;
RECREATIONAL COVERAGE ASSOCIATION OF NEW
JERSEY, INC.; HORIZON HEALTHCARE SYSTEMS;
NATIONAL BENEFITS ADMINISTRATORS;
INTERNATIONAL RISK CONSULTANTS;
IMMS/STARLINE GROUP; AMERICAN FIDELITY
ASSURANCE,

Third-Party Defendants.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Civil Action No. 04-5692 (JAP)

ORDER OF DISMISSAL

RECEIVED

MAR 05 2008

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

WHEREAS, on February 29, the Court conducted a fairness hearing pursuant to Fed. R. Civ. P. 23(e)(1)(c) with regard to a proposed settlement in the above captioned Action; and

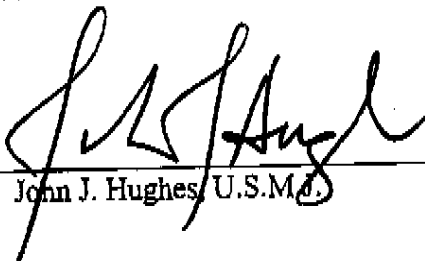
WHEREAS, the Court, for the reasons placed on the record at the fairness hearing, has entered an "Order Approving Class Action Settlement" and an "Order Barring Claims"; and

WHEREAS, the above-referenced Orders fully and finally resolve all of the claims, third-party claims and cross claims asserted in the within Action; and

WHEREAS, there is otherwise good and sufficient cause for the entry of the within Order;

IT IS ON THIS 3rd DAY OF MARCH, 2008 ORDERED as follows:

1. All claims, third-party claims and cross claims in the within Action brought by any party are hereby dismissed with prejudice, each party to bear its own costs.
2. The Court hereby retains exclusive and continuing jurisdiction as to all matters relating to the administration, consummation, enforcement and interpretation of the terms of the settlement and of this Order and as to any dispute, causes of action or claims that arise out of or are related to the settlement of this Action.



John J. Hughes, U.S.M.J.